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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,407	06/06/2000	Richard D. Blackmore	240-P-028	9445
26328	7590	11/02/2004	EXAMINER	
LAW OFFICE OF DAVID MCEWING P.O. BOX 231324 HOUSTON, TX 77023			MAKI, STEVEN D	
		ART UNIT		PAPER NUMBER
		1733		

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/588407

EXAMINER

ART UNIT      PAPER

103004

DATE MAILED:

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Commissioner for Patents

Attachments: Notice of Non-Responsive / Non-Complaint Amendment  
Interview Summary

**Notice of Non-Responsive / Non-Compliant Amendment**

The reply filed on 8-6-04 and 7-7-04 are not fully responsive to the prior Office Action, and non-compliant with new amendment rules under 37 CFR 1.121, because of the following omission(s) or matter(s):

In each of the amendments filed 8-6-04 and 7-7-04, the status identifier for claims 4 and 6 is "(Previously Presented)". However, the text in claims 4 and 6 is the original claim text instead of the text of amended claims 4 and 6 filed 9-19-02.

In each of the amendments filed 8-6-04 and 7-7-04, the status identifier for claim 13 is "(Original)". However, the text in claim 13 filed 8-6-04 and 7-7-04 is amended text instead of original text. The addition of --of the elastomeric composite-- to claim 13 was not underlined and the status identifier "(Currently amended)" was not used.

In each of the amendments filed 8-6-04 and 7-7-04, --heat curable resin of a-- was added to line 1 of claim 12. This addition was not indicated by underlining. It is acknowledged that --heat cureable resin of a-- was added in the informal amendment filed 4-9-04. However, the amendment must show changes relative to the immediate prior version (the claims as of the amendment filed 6-9-03). Moreover, --supporting a heat curable resin-- was deleted from line 2 of claim 12 in the informal amendment filed 4-9-04 but remains in claim 12 in the amendments filed 8-6-04 and 7-7-04. This raises confusion as in determining what the text of this claim is intended to include.

The status identifier for claim 18 in the amendment filed 8-6-04 is incorrectly identified as being "(Original)" instead of --(Currently Amended)--.

Each of the amendments filed 8-6-04 and 7-7-04 contain typographical errors. For example, line 2 of claim 16 recites "arc" instead of --are--. Line 6 of claim 20 and line 11 of claim 22 use a period instead of a comma after "the first end piece". These typographical errors were not present in the claims as of the amendment filed 6-9-03.

New claim 36 describes selecting the non-ferrous heating element from the group consisting of twenty six members. Applicant has failed to identify where support for this newly claimed subject matter is found in the original disclosure. It is not readily apparent for example where the original disclosure supports "woven fibers containing carbon filaments", "crimped carbon fibers", "noncrimped carbon fibers", "stitched bonded fibers containing carbon filaments" and "a plurality of noncrimped fibers containing carbon filaments that are arranged in a selected pattern". In order to expedite prosecution, applicant should identify by page and line number(s) where support can be found for the members of the new Markush group in addition to correcting the non-compliant amendment(s).

Attached is an Interview Summary for the interview on 6-4-04.

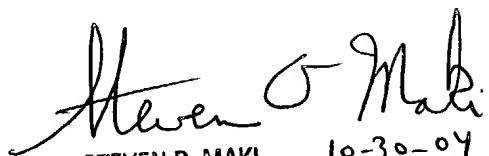
See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki  
October 30, 2004

  
10-30-04  
STEVEN D. MAKI  
PRIMARY EXAMINER  
~~GROUP 1300~~  
AU 1733